

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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U.S. BANK NATIONAL ASSOCIATION.

Case No. 2:15-cv-01423-JCM-PAL

Plaintiff.

V₁

**ANTELOPE CANYON HOMEOWNERS
ASSOCIATION, et al.,**

ORDER

(Mot. Amend Answer – Dkt. #29)

Defendants

This matter is before the Court on Defendant Antelope Canyon Homeowners Association's Motion to Amend Answer to Include Third-Party Complaint (Dkt. #29). LR 7-2(d) of the Local Rules provides that failure to file points and authorities in opposition to a motion constitutes a consent that the motion be granted. *Abbott v. United Venture Capital, Inc.*, 718 F. Supp. 828, 831 (D. Nev. 1989). Pursuant to LR 7-2(b), any response to Defendant's Motion was to be filed and served within 14 days, or by November 23, 2015. The motion was timely filed in compliance with the discovery plan and scheduling order deadline. The motion is therefore granted pursuant to LR 7-2(d). See, e.g., *Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). Accordingly,

IT IS ORDERED:

1. Defendant Antelope Canyon Homeowners Association's Motion to Amend Answer to Include Third-Party Complaint (Dkt. #29) is GRANTED.
 2. Defendant shall separately file the Proposed Amended Answer and Third-Party Complaint, which is attached to the Motion as Exhibit "A".
 3. Defendant shall serve the Third Party Complaint no later than 90 days from entry of this order. See Fed. R. Civ. P. 4(m), effective December 1, 2015.

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2 4. Failure to timely serve the Third Party Complaint may result in its dismissal.

3 Dated this 4th day of February, 2016.

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PEGGY A. SEEN
UNITED STATES MAGISTRATE JUDGE

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